

SEC. 33, 34. Directory as to the manner of transferring the business from the courts abolished to those created by this act.

SEC. 35. See note as to first section.

SEC. 36. Repeals the second section of 1785, ch. 87.

SEC. 38. *And be it enacted*, That no action of ejectment, waste, partition, dower, trespass quare clausum fregit, trover or replevin, brought or to be brought in any court of law in this state, shall abate by the death of either of the parties to such action, but upon the death of either of the parties, the action shall be continued, and the heir, devisee, executor or administrator, of the deceased party, as the case may require, or other person interested on the part of the deceased party, may appear to such action, and in case the heir, devisee, executor, administrator, or other proper persons to prosecute or defend such action, as the case may be, do not appear to such action at the term at which the death is suggested, the surviving party, whether plaintiff or defendant, may proceed to make proper parties to such action, according to the provisions of the act,† entitled, an act to alter and amend the law in certain cases. No action to abate by the death of either party
* 1785, ch. 80.

SEC. 39, 40, 41, 42, 43, 44. See note to first section.

SEC. 45. *And be it enacted*, That an act of assembly passed at November session, seventeen hundred and ninety-six,† entitled, an act for the better administration of justice in the several counties of this state, and the several supplements thereto, and also the fourth section of an act passed at November session, in the year seventeen hundred and ninety,‡ entitled, an act for the better administration of justice in the several counties of this state, be and the same are hereby repealed. Acts repealed.
† Chap. 43.
‡ Chap. 33

Continued to 1810, and since by the annual continuing laws.

CHAPTER 86.

AN ACT respecting Public Notaries in this State.

See 1785, ch. 38, ante page 197; 1832, ch. 286; 1837, ch. 253.

WHEREAS the establishment of public notaries has been found useful in all commercial countries, and it is proper by law to regulate their fees in current money of the United States; Preamble.

SEC. 2. *Be it enacted, by the General Assembly of Maryland*, That after the thirty-first day of December instant, the governor and council shall appoint and commission, in addition to the notaries public already appointed and commissioned in this state, a competent number of persons of known good character, integrity and abilities, as notaries public for the state of Maryland, to reside within such place or places within this state as the governor and council shall, in and by their respective commissions, direct; *Provided always*, that there shall not be at any time more than four notaries appointed and commissioned to reside within the city and county of Baltimore; *And provided* Governor and council to appoint additional number of notaries.
Proviso.